

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL A. CARTER and MEREDITH CARTER, :

Plaintiffs, :

-v- :

36 HUDSON ASSOCIATES, LLC, JOSEPH PELL :  
LOMBARDI & ASSOCIATES, ARCHITECTS, :  
JOSEPH PELL LOMBARDI, TRIBECA 22 :  
INVESTMENT LTD., SERVET HARUNOGLU, :  
ONURHAN HOMRIS, and ADG ARCHITECTURE & :  
DESIGN, P.C., :

Defendants. :

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36 HUDSON ASSOCIATES, LLC, :

Third-Party Plaintiff, :

-v- :

FBR CONSTRUCTION GROUP LLC and JAY :  
FURMAN, :

Third-Party Defendants. :

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FBR CONSTRUCTION GROUP LLC and JAY :  
FURMAN, :

Fourth-Party Plaintiffs, :

-v- :

L'ABBAYE REAL ESTATE, LLC, DAMO :  
CONSTRUCTION CO., INC., and ZR :  
CONTINENTAL CORP., , :

Fourth-Party Defendants. :  
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09 Civ. 4328 (DLC)

PRETRIAL  
SCHEDULING ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/17/2010

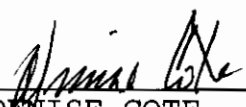
DENISE COTE, District Judge:

As set forth at the pretrial conference held on September 14, 2010, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. Counsel for defendant Damo Construction Co. must file an appearance and Damo Construction Co. must respond to the third-party complaint by **October 8, 2010**, or a default shall be entered against this defendant.
2. The parties must contact the chambers of Magistrate Judge Pitman no later than **September 17, 2010** in order to schedule settlement discussions under his supervision.
3. All fact discovery must be completed by **November 19, 2010**.
4. Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B) and (C), Fed. R. Civ. P., by the party bearing the burden on an issue must be served by **December 17, 2010**. Identification of rebuttal experts and disclosure of their expert testimony must occur by **January 14, 2011**.
5. All expert discovery must be completed by **February 11, 2011**.
6. By **February 11, 2011**, counsel shall inform the Court by letter as to whether a motion for summary judgment is being made.
7. In the absence of a summary judgment motion, the Joint Pretrial Order must be filed by **March 4, 2011**.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge, and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

Dated: New York, New York  
September 17, 2010

  
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DENISE COTE  
United States District Judge